

OCT 21 2008



HAMRE, SCHUMANN, MUELLER & LARSON, P.C.

AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION October 21, 2008

TO: Mail Stop: AMENDMENT
Examiner: D. White
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FROM: Douglas P. Mueller

OUR REF: 10873.1670USWO

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 38

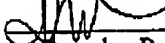
PTO FAX NUMBER: 571.273.8300

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Title of Document: **Information Disclosure Statement (3 pages), Form 1449 (1 page),
Supplementary Partial European Search Report (7 pages),
Six references (26 pages)**

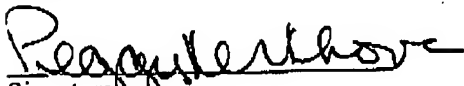
Applicant: KOSAKA
Serial No.: 10/530790
App. Filed: April 8, 2005
Group Art No.: 1797
Confirmation No.: 9379

Please charge Deposit Account No. 50-3478 in the amount of \$180 for payment of the IDS filing fee. Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
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Reg. No.: 30,300

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Signature

October 21, 2008
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TEL 612.455.3800 · FAX 612.455.3801
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOSAKA
Serial No.: 10/530790
Filed: April 8, 2005
Title: TEST PIECE FOR CREATININE MEASUREMENT

Examiner: D. White
Group Art Unit: 1797
Docket: 10873.1670USWO

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 21, 2008.
By: Peggy Kerkhove
Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The references were recently cited in a Supplementary Partial European Search Report mailed August 13, 2008. A copy of the search report is enclosed. U.S. 5,399,498 which corresponds to EP 0 658 768 (cited in search report) was previously cited in an IDS filed June 20, 2005. Copies of any foreign patent documents or "Other Documents" are enclosed.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☒ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND the requisite Statement is below AND the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

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STATEMENT

Applicants hereby state that:

- ☒ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application or by the USPTO in a related application not more than three months prior to the filing date of the Information Disclosure Statement

- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.Filing DateGroup

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

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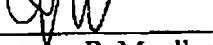
FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402
(612) 455-3800

Dated: October 21, 2008

By: 
Douglas P. Mueller
Reg. No. 30,300

DPM/pjk

